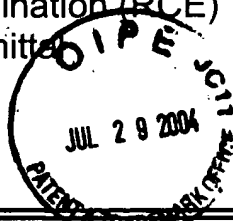


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**Request
for
Continued Examination (RCE)
Transmitted**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Application Number	10/021,566
Filing Date	December 12, 2001
First Named Inventor	Hunter et al.
Art Unit	3746
Examiner Name	Charles G. Freay
Attorney Docket Number	DKT 00147A (BWI-00061)

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
- ii. ☐ Other _____
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/ Declaration(s)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

- a. ☒ Deposit Account No. 501612
- | | | | | |
|---|-------------------|----------|--------|----------|
| i. <input checked="" type="checkbox"/> RCE fee required under 37 CFR 1.17(e) | 07/30/2004 HALI11 | 00000049 | 501612 | 10021566 |
| ii. <input checked="" type="checkbox"/> Extension of time fee (37 CFR 1.136 and 1.17) | 01 FC:1801 | 770.00 | DA | |
| | 02 FC:1201 | 430.00 | DA | |
| | 03 FC:1202 | 1134.00 | DA | |
| iii. <input checked="" type="checkbox"/> Other If applicable, extra claim fees. | 04 FC:1252 | 420.00 | DA | |
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Philip R. Warn	Registration No. (Attorney/Agent)	32775
Signature		Date	July 27, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Philip R. Warn - Reg. No. 32775	Date	July 27, 2004
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/021,566
Filing Date: December 12, 2001
Applicant: Hunter, et al.
Group Art Unit: 3746
Examiner: Charles G. Freay
Title: VARIABLE DISPLACEMENT PUMP AND METHOD
Attorney Docket: DKT 00147A (BWI-00061)

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service, as first class mail, in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 27, 2004. By: [Signature].

LETTER

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A response to the Final Office Action was filed on May 27, 2004. With this response a check in the amount of \$1554.00 (check no. 5765) was also submitted which included extra claim fees. Our records indicate that the check to cover the associated fees was cashed by the USPTO, despite the fact that the amendment was

not entered. Enclosed is a copy of our Standard Federal Bank Statement, which on page 3 shows that check number 5765 was cleared. Also enclosed is a copy of that check as addressed to "Commissioner for Patents" filed on May 27, 2004.

As such, applicant is now submitting herewith a Request for Continued Examination in which we would like to enter the amendment previously submitted. We believe that the only payment due to the USPTO at this time is a 2 month extension fee and the fee for filing the RCE.

However, if the Commissioner feels that other fees are due at this time he is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 501612. A duplicate copy of this letter is enclosed herewith.

Respectfully submitted,

WARN, HOFFMANN, MILLER & LALONE P.C.
Attorneys for Applicant(s)

Dated: 7/27/04

By: 

Philip R. Warn (Reg. No. 32775)
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